

Constitution and By-Laws  
Of  
The East Franklin Township Volunteer  
Fire Department, Incorporated  
Of  
Franklin Township  
Somerset County  
New Jersey

WHEREAS, The East Franklin Township Volunteer Fire Department, Inc. of Franklin Township, New Jersey, having been organized on the twenty-ninth day of July, Nineteen Hundred and Twenty-Nine, for the purpose of protecting life and property from fire, be it therefore resolved, that we be governed by the following Constitution and By-Laws.

## **Constitution**

### **Article I Officers**

The officer's of this department shall be:

- President
- Vice President
- Recording Secretary
- Financial Secretary
- Treasurer
- \*Business Agent
- Four Executive Board Members
- Two Alternate Executive Board members
- \*Sergeant-at-Arms
- Chief
- Deputy Chief
- Assistant Chief
- Engine Captain
- Engine Lieutenant
- Squad Captain
- Squad Lieutenant
- Engineer
- Four Foremen
- \* (Appointed by the President)

### **Article II Membership**

#### **Section 1:**

Candidates for membership shall be persons, not less than eighteen years of age and of good moral character. Membership shall consist of not more than fifty active members.

A.) Members of the department shall be classified as follows:

- 1.)Active

2.)Honorary

3.)Life

B.)Correlation of credits issued and time elements:

## **Section 2: CREDIT SYSTEM DEFINED**

One Credit: Up to (1) hour of any firehouse activity or response to a fire call.

Two Credits: Up to (2) hours of firehouse activities.

Three Credits: Activities over two (2) hours up to (3) hours.

More than three credits: will be issued by the detail coordinator with final approval by the Chief or the President.

## **Active Member Requirements**

C.) Each member must accrue thirty-five (35) combined fire and activity credits per quarter. Each member must also attend two (2) general meetings per quarter. A member with a valid reason (all reasons will be reviewed by the Executive Board for final approval) may be excused from attending the two (2) general body meeting per quarter. If a member is excused with a valid reason he/she will be required to accrue forty (40) combined fire and activity credits per quarter.

**D.) Active Member Probation:** Any member delinquent for one (1) quarter will be put on probation for a period of six (6) months and will be required to accrue fifteen (15) fire / activity credits per month of the probationary period. The member must attend one (1) general meeting per month. If for any reason he/she cannot meet this requirement, approval by the Executive Board must be obtained. The probationary period begins immediately following the member's delinquency and will run concurrently.

E.) If a member does not meet the above stated requirements, the member will be dropped from the rolls.

F.) All members who comply with annual requirements will start the following year with an unblemished record.

## **Probationary Member Statement**

G.) Records for probationary members will be kept from the date of admission. Upon successful completion of probation, they will be governed by the quarterly system.

H.) A probationary member will be required to attend seventy-five percent (75%) of all in-house training sessions (drills) held during his/her term as a probationary member.

I.) The probationary member will be required to attend the following five (5) in-house training sessions (drills) as part of his/her seventy-five percent (75%) training requirements.

- 1.) SOP – Standard Operating Procedures
- 2.) SCBA – Self Contained Breathing Apparatus
- 3.) Engine Company Operations
- 4.) Hose Evolutions
- 5.) Ladder Evolutions

It will be the responsibility of the probationary member to re-schedule a missed training session with a company training officer.

J.) The probation member will also be required to attend one (1) course in basic firematics, at an accredited fire school approved by the chief, during his/her probation period.

K.) When a probationary member enters the fire company at the first meeting in January, April, July or October, he/she will be required to accrue thirty-five (35) activity credits and attend two (2) meetings for that quarter. If he/she enters the fire company at the first meeting in February, May, August or November, he/she will be required to accrue twenty-four (24) credits and attend one (1) meeting for the balance of the quarter. If he/she enters the fire company at the first meeting in March, June, September or December, he/she will be required to accrue twelve (12) credits and attend one (1) meeting for the balance of the quarter. All other admittance times into the fire company will be reviewed by the Executive Board and a decision on credit requirements shall be rendered. After the quarter of entry is completed, a probationary member will meet the same quarterly credit requirements as that of an active member. These requirements are defined in Article II, Section 2(c).

Any exceptions regarding the above requirements of Section 2 will be brought before the Executive Board for review.

### **Section 3**

Any citizen who has rendered exceptional and meritorious service to the Department may be elected an honorary member by majority vote. An Honorary member will not have any voice on the floor, nor will the person so honored be allowed to vote in any election or hold office.

### **Section 4**

Any member who has served the department in any active capacity for a total period of ten (10) years, shall be classified as an “ Active Life Member “ and be awarded a “ Ten Year Certificate”. To qualify as a ten-year life member, a member must comply with Section 2 of Article II. Members who have attained ten-year life membership shall be considered active members for life and entitled to all privileges of an active member.

It is further required that this degree of activeness be maintained for a combined period of ten (10) years which need not run concurrently.

It is further understood that a “ Life Member “ shall be subject to all disciplinary rules that apply to all the members of the department.

This policy will have no bearing whatsoever on the definition of an “ Active member “ as it is now or in the future relates to our Personnel Insurance Program.

A member that leaves in good standing may re-apply for membership and, if accepted, will have his/her time bridged.

## **Section 5**

In accordance with the rules of the New Jersey Division of Civil Rights regarding Admission Procedures of a Volunteer Fire Departments, known as N.J.A.C. 13:12-1.1 and effective June 25, 1974, the following procedures for admission to membership in the East Franklin Township Volunteer Fire Department, Incorporated, (hereafter called department) shall be observed.

- 1.) The departments name and address, names of officer’s and members, and dates of regular meetings, shall be filed with the Franklin Township Clerk no later than January 31<sup>st</sup>, of each calendar year.
  
- 2.) The department will provide the Franklin Township Clerk with membership application forms which the clerk will distribute upon written or personal request. The applicant shall return the completed form to the name and address indicated on the application.
  
- 3.) Upon receipt of the completed application, the designated officer of the department will inform the applicant by mail, of the time and date on which the application was received. The application shall be posted for thirty (30) days.
  
- 4.) The Executive Board (hereafter called committee) shall be the membership committee. The Committee shall establish specific and objective membership qualifications. The committee shall review the application, physical, technical and character fitness of the applicant. Within sixty (60) days after receipt of the completed application, the committee shall report to the Department membership as to whether the applicant is qualified for membership in the Department. The decision of the committee shall be final.\*

\* If the applicant is not accepted, the committee shall inform the applicant of their decision and causes for rejection in writing.

\* Qualified applicants will be admitted to membership as vacancies exist. If there are more qualified applicants than vacancies, a waiting list shall be established based on time and dates in which the applications of the qualified applicants were received.

- 5.) If the applicant is recommended for membership in the department, he/she shall serve a probationary period of one year. During the probationary period, the applicant will be evaluated by the Chief Fire Officers (hereafter called officers) and the committee. The applicant may be dismissed during the probationary period by a majority decision of the Officers and Committee for failing to fulfill the probationary duties or for any other good cause.
- 6.) At the end of the probationary period, the Officers and the Committee will determine if the applicant has satisfactorily fulfilled the duties of a probationary member. If so, the officers and Committee will recommend to the Department membership that the applicant be accepted as a regular member. The decision of the Officers and Committee will be final. If the applicant is rejected at the end of the probationary period, the committee will notify the applicant, in writing, as to the causes for his/her failure to be accepted as a regular member.
- 7.) The application for membership must be accompanied by a processing fee of ten (10) dollars.
- 8.) Before being admitted to the department as a full-fledged member, he/she shall be required to take the following responsibility and obligations.

**RESPONSIBILITY (Read by President)**

\_\_\_\_\_, you are before us at this time to be sworn in as a  
Applicant's Name  
(Regular Member, Probationary Member) of this department. Your application indicated that you are willing to volunteer your services to the welfare of the Franklin Township Fire District. We are doing the same. The Volunteer Fire Department is based on the "Golden Rule".

The East Franklin Township Volunteer Fire Department, Inc., is governed by By-Laws adopted because rules and regulations are necessary to assure discipline. Discipline is a very necessary part of the organizations such as ours and, without it, your officers may issue an order which, if not carried out, may result in serious consequences.

A volunteer firefighter's service is to the community. His reward is honor and glory. You have the same opportunity that everyone else has to rise in office. Faithful service is the test.

Do you promise to uphold the Constitution of the United States, the Constitution and By-Laws of the East Franklin Township Volunteer Fire Department, Inc.? If so, answer "I Will".

**Pledge (Read by Applicant)**

I, \_\_\_\_\_YOUR NAME\_\_\_\_\_, as a (Regular Member or Probationary Member) of the East Franklin Township Volunteer Fire Department, do solemnly and sincerely promise and swear to acquaint myself with the Constitution and By-Laws of the organization and the duties expected of me as a firefighter. Also, to govern myself by the new rules that may be made from time to time, for the benefit of the organization.

I will always conduct myself in matters pertaining to the Fire Department in such a manner to reflect credit upon the organization and myself and use all honorable means to benefit the Department.

**Responsibility (continued – Read by President)**

Since you have voluntarily pledged yourself to cooperate with us, I take pleasure in declaring you a member and extend my hand and greet you as a brother firefighter.

**Section 6**

A.) It shall be the duty of each member of this department, upon receiving notice of his/her election as an active member, to accept presentation of a copy of the Constitution and By-Laws, and a badge and key to the engine house, from the Financial Secretary. A Five (5) dollar deposit will be required for the badge and key, payable to the Financial Secretary. This deposit will be reimbursed in the event that a member leaves the Department and surrenders his/her badge and key.

B.) New members must be fitted and purchase a Class A uniform and a Class B uniform within ninety (90) days of becoming a regular member of the Department. The Department will pay for two-thirds (2/3) of the Class A uniform hat, jacket, pants, black shoes and American flag for the uniform jacket and uniform shirts with the member paying the additional one third (1/3). **The member must reimburse the Department completely within one year.** The Department will purchase the class B uniform jacket, shirts and pants for the member. All other items such as a class A uniform shirt, black tie, black belt, collar pins and name plate will be purchased by the member.

Name plates will be worn over the right breast. Collar pins and name plates will be worn as follows: Chief and Past Chief – Five Gold Horns and Gold Name Plate, Deputy Chief – Four Gold Horns and Gold Name Plate, Assistant Chief – Three Gold Horns and Gold Name Plate, Captain – Two parallel Silver Horns and Silver name Plate, Lieutenants – one Silver Horn and Silver Name Plate, Engineer / Foreman / Firefighter – Silver “EF” and/or “FD” Pins and Silver Name Plate.

Class A and Class B hat, uniform jackets, shirts and pants will remain the property of the department.

## **UNIFORM DESCRIPTIONS / DEFINITIONS**

### **FIREFIGHTER UNIFORM**

The class A uniform of a firefighter will consist of a dark blue bell hat with black, dark blue uniform dress jacket with silver buttons, dark blue uniform dress pants, white gloves, black tie, black belt, black shoes, black socks and silver name plate. A department patch will be sewn on the left sleeve of the uniform dress jacket and uniform shirts. An American flag will be sewn on the right sleeve of the uniform dress jacket and uniform shirts.

The class B uniform of a firefighter will consist of a dark blue Bell hat with black band, dark blue uniform jacket, dark blue uniform pants, long sleeve dark blue uniform shirt, short sleeve dark blue uniform shirt, black belt, black socks, black shoes. A Department patch will be sewn on the left sleeve of the uniform jacket and shirts. An American flag will be sewn on the right sleeve of the uniform shirts. A name plate will be worn over the right breast of the uniform shirt or jacket.

### **FOREMAN, ENGINEER, LIEUTENANT AND CAPTAIN UNIFORM**

The class A and class B uniforms for these officers will be as described for a firefighter with a silver badge respective to his/her rank, silver uniform buttons and a silver hat band. The uniform of the Captains will display two silver bands on each sleeve at the bottom near the wrist. The uniform of the Lieutenants will display two silver bands on each sleeve at the bottom near the wrist.

### **DEPUTY CHIEF AND ASSISTANT CHIEF UNIFORMS**

## CONSTITUTION

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The uniforms of the Deputy Chief and Assistant Chief will be as described for a firefighter with a long sleeve white uniform shirt, short sleeve white uniform shirt, white bell hat, gold hat band, and gold badge respective to his/her rank. The class A uniform will have gold buttons. The Deputy Chief's uniform will display four gold bands on each sleeve at the bottom near the wrist the Assistant Chief's uniform will display three gold bands on each sleeve at the bottom near the wrist

### CHIEF

The uniforms of the chief will be as described for firefighter with a long sleeve white uniform shirt, short sleeve white uniform shirt, white bell hat with black felt band, gold hat band, and gold buttons. The class A uniform will have gold buttons and display five gold bands on each sleeve at the bottom near the wrist

### PAST-CHIEF

The uniforms of a past chief will be as described for a firefighter, including the dark blue bell hat and light blue shirts. The class A and Class B uniform will include a gold hat band and a gold badge respective to the rank. The class A uniform will have gold buttons and five gold bands on each sleeve at the bottom near the wrist

C.) It shall be the duty of each member to attend all meetings, to proceed immediately to the apparatus on every alarm of fire and remain where he/she is stationed, or to attend to any duty as a firefighter to which he/she may be assigned by the Officer in command. In the event of not arriving at the firehouse in time to leave with the apparatus, or be in the vicinity of the fire, he/she shall stand by the firehouse until otherwise directed by the Officer in command.

D.) To attend a wake when called upon by the President or Vice-President.

## **SECTION 7:**

Any fines or assessments or any other money due from any member or any equipment on loan to any member must be paid or returned to the Department at a regular meeting before that member's resignation may be accepted.

Any qualified reasons for not fulfilling the obligation as specified in the preceding paragraphs, may be presented to the Executive Committee for consideration.

## **ARTICLE III** **VACANCIES**

Should any office of the Department, except President, become vacant by reason of death or resignation, the same shall be filled at the next regular business meeting for the unexpired term by an election.

**ARTICLE IV**  
**AMENDMENTS**

Amendments to this constitution must be reviewed by a committee of no less than five (5) members, be proposed in writing and accepted at a regular meeting and lay on the table for a period of not less than two (2) months. During that period, all eligible members will be sent a ballot to be returned via mail. All ballots not returned will be considered an abstaining vote. The proposal must receive the concurrence of at least two-thirds (2/3) of the votes received. Once passed, the amendment will be adopted at the next regular business meeting.

**ARTICLE V**  
**DUTIES OF OFFICERS**

A two (2) year membership in the Department will be required before holding office in all position other than Foreman. A member may be nominated, elected and serve as Foreman following one (1) year of service.

**PRESIDENT**

- A.) It shall be the duty of the President to preside at all regular and special meetings and enforce all laws and regulations relating to the administration of the department. He/She shall exercise general supervision over the affairs of the department. He/She shall appoint all committees, unless otherwise provided for, call special meetings when the welfare of the Department warrants them and shall upon written request of five (5) or more members, call special meetings provided that the subject of the meeting is stated in the request. He/She shall maintain order in the meetings at all times.
- B.) Under no circumstances shall he/she speak on any subject from the chair. If he/she desires to speak on a subject, he/she must relinquish the chair to the Vice-President, or, in absence of the Vice-President, he/she may appoint any member present. He/She shall address the chairman in the usual way. At the end of his / her term, he/she shall surrender all Department property in his/her possession to his/her successor in office. In case of a tie vote, the president shall decide the question. It shall be his/her duty to appoint a Sergeant-in-Arms and the Business Agent.

**VICE-PRESIDENT**

It shall be the duty of the Vice-President to assist the President in the discharge of his/her various duties, and in the absence of the President, to act in his/her place.

**CORRESPONDING and RECORDING SECRETARY**

- A.) It shall be the duty of the Corresponding Secretary to keep a true record of all regular and special meetings.
- B.) He/She shall forward all applications for membership to the chairman of the Executive Committee within Twenty-Four (24) hours from the date of presentation.

## **CONSTITUTION**

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- C.) At each regular meeting, he/she shall read the minutes of the previous meeting for the information of those present, and all minutes of special meetings that may have been held since the previous regular meeting.
- D.) It shall be his/her duty in the event of inability to attend a meeting, to convey all books and papers which may be required at the meeting. At the end of his/her term of office, he/she shall surrender all books and papers in his/her possession to his/her successor.

### **FINANCIAL SECRETARY**

- A.) It shall be the duty of the Financial Secretary to collect fines, assessments, initiation fees, and other money that may be due to the Department and have a roll call after each meeting.
- B.) The Financial Secretary shall furnish all newly elected members with a key and Badge upon receiving the amount of the required deposit.
- C.) The secretary shall see that all money received is place in the care of the Treasurer and that the Secretary receives a receipt.
- D.) \It shall be the Secretary's duty to furnish the members with their Certificates of Membership.
- E.) At the end of the Secretary's term of office, the Secretary shall surrender all books and papers to his/her successor.

### **TREASURER**

- A.) The Treasurer shall receive all money due and belonging to the Department, pay all orders when signed by the President and Financial Secretary, or an alternate. The Treasurer shall keep a correct account of all money received and paid by him/her, and prepare a statement to be read at each meeting stating the amount spent and the amount on hand.
- B.) At the end of his/her term of office, the Treasurer shall surrender to his successor in office all money, books, and papers that have come into his/her possession as Treasurer.

### **BUSINESS AGENT**

It shall be the duty of the Business Agent to make all purchases when authorized by the Department.

### **EXECUTIVE COMMITTEE**

- A.) It shall be the duty of the Executive Committee to make all proper investigation when the name of any person applying for membership is referred to them by the Secretary, and report in writing at the next meeting, if possible. No action shall be taken until the report of this Committee has been received.
- B.) If the Committee reports unfavorable on the applicant, no further action need be taken. Application for membership shall be considered refused, and his/her initiation fee be returned to him/her; the name of such applicant cannot be proposed for membership until one (1) year has elapsed.
- C.) It shall be their duty to investigate charges and render a decision. Their decision shall be final. They should also recommend disciplinary actions.
- D.) The Committee shall make a report and present it at the first meeting of each quarter on members who were not active for the previous quarter.

- E.) It shall also be their duty to audit the books at least once a year.
- F.) It shall be the duty of the chairman of the Executive Committee to assume the duties of President or Vice-President in their absence.
- G.) It shall be the duty of each regular and alternative Executive Committee member to follow an issue until a decision is rendered if he/she is part of the board presiding at the time an issue was presented.
- H.) Three (3) Executive Committee members will constitute a quorum to conduct all Executive Committee business.
- I.) If an investigation into a matter has begun with only three (3) members, a fourth member cannot have any input nor make any decision on that issue until he/she has been informed on all pertinent information.

**SERGEANT-AT-ARMS**

The Sergeant-at-Arms shall be appointed by the President. It shall be the duty of the Sergeant-at-Arms to keep order at all meetings. It shall also be his/her duty to answer all telephone calls during the meeting and to see that only members are present at the time.

**CHIEF**

It shall be the duty of the Chief to take command of the Department at the alarm of fire or other emergency, see that every member does his/her duty in getting the apparatus into effective service as soon as possible. No member shall leave his/her post without permission and the Department will not disband until dismissed by the Chief. After each fire and drill, he/she shall have a roll call upon returning to the firehouse. Members under the jurisdiction of the chief shall obey all orders received from him/her. He/She shall appoint eight or more qualified drivers as he/she sees fit. The apparatus shall not leave the firehouse without the chief's permission, unless for a fire or an emergency. It shall also be the duty of the chief to submit a report to the Executive Committee on the fire and drill attendance at the end of each month. It shall also be his/her duty to call drills as he/she sees fit.

**DEPUTY CHIEF AND ASSISTANT CHIEF**

It shall be the duty of the Deputy Chief and Assistant Chief to cooperate with the Chief and enforce all orders given by him/her and aid in seeing that each member does their duty. In the absence of the Chief, the Deputy Chief and Assistant Chief are to officiate in his/her capacity.

**CAPTAIN**

It shall be the duty of the Captain to take orders from the Chief, Deputy Chief, or Assistant Chief and to carry out such orders in the proper manner in directing the members to fight the fires. The Captain shall be in full command of a fire in the absence of the senior officers.

**LIEUTENANT**

It shall be the duty of the Lieutenant to help the Captain with his/her orders, and see such orders are carried out in the proper manner. The Lieutenant shall have full command of a fire in the absence of the senior officers.

**ENGINEER**

It shall be the duty of the Engineer to see that the pumps are in proper working condition at all times and that they are being used properly at all fires, and to help the Lieutenant, Captain, etc. with their orders, and see such orders are carried out in the proper manner. The Engineer shall have full command of a fire in the absence of the senior officers.

**FOREMAN**

The Foreman is directly responsible to the Engineer. It shall be the duty of the Foreman to see that the engines are in running condition at all times and that they are equipped with proper firefighting equipment. They shall keep the equipment clean at all times.

**ARTICLE I**  
**MEETINGS**

SECTION 1:

The regular meetings shall be held on the first and third Thursday of each month, except when the meeting date falls on a holiday, in which case the meeting will be held on the following Thursday. The meeting will be called to order at 8:00 p.m.

Special meetings may be called in the following manner and must be held in the firehouse.

- A.) By a Written or Verbal notice served by the President on the Corresponding and Recording Secretary who shall notify the members.
- B.) By a written notice signed by five members in good standing, served upon the President or Corresponding and Recording Secretary who shall then notify the members.

SECTION 2:

Requests for a leave of absence must be prepared in writing and approved by the membership. At the conclusion of a leave of absence, the member must report back within one month or be dropped from the Department rolls. A leave of absence except for military or sick leave may not exceed one year. With the exception of military or sick leave, all privileges are forfeited during a leave of absence.

SECTION 3:

During probationary period, a member will not make motions or vote.

**ARTICLE II**  
**QUORUM**

Ten active members, excluding administrative officers, shall constitute a quorum for the transaction of business at a regular meeting.

**ARTICLE III**  
**REGULATIONS AT A MEETING**

**SECTION 1:**

1. Call meeting to order and vote in new members
2. Reading of minutes of previous regular and special meetings
3. Communications and Notices
4. Treasurer's Report
5. Reports of Committees
6. Old Business
7. Proposals for Membership
8. Bills Presented
9. New Business
10. Fire Reports
11. Collection of Fines
12. Report of Sick Committee
13. Roll Call and Adjournment

**SECTION 2:**

Any member wishing to speak on a subject shall rise and address him/her self to the chair.

**SECTION 3:**

No interruption shall be allowed while a member is speaking, except to call order by the chair or any member through the chair. Subject to a twenty-five (25) cent fine.

**SECTION 4:**

Any member communicating to persons not members of the Department what has transpired at a meeting may be expelled at the option of the Department.

**SECTION 5:**

Any member who shall at a meeting make use of improper language shall be fined fifty (50) cents.

**SECTION 6:**

Any member refusing to conform to the Constitution, By-Laws or rules or order of the Department, or who shall be guilty of repeated acts of disorderly conduct, shall be liable to suspension or expulsion.

**ARTICLE IV**  
**PENALTIES, EXPULSIONS AND MATTERS OF RECOURSE**

- A.) Any member found guilty of removing any article or articles from the firehouse without proper authorization shall be subject to expulsion.
- B.) All members are responsible for damage or tampering incurred by themselves or their guests to the firehouse or firehouse property.
- C.) A Chief, the President and an Executive Board member must be notified within twenty-four (24) hours after the incident.
- D.) The member must pay for and repair such damage within a reasonable time frame as determined by the Executive Board.
- E.) Anyone not adhering to this policy will be subject to review and disciplinary action by the Executive Board.

## **MATTERS OF DISAGREEMENT**

From time to time disagreements may occur between members that, if left unaddressed, may create disharmony within the organization. Members are encouraged to resolve these matters between themselves, but if this is not possible, the following method of recourse has been established.

- F.) Where there exists a problem between members or Member(s) and officer(s), pertaining to the firefighting function of the department, the member(s) may first request the Chief, or his/her appointed representative, to mediate the situation.
- G.) Where there exists a problem between members, or member(s) and officer(s) pertaining to any other function of the department, the member(s) may first request the President, or his/her appointed representative, to mediate the situation.
- H.) If, after such mediation, a satisfactory resolution cannot be found between any of the parties involved they have the right of recourse to a hearing before the Executive board. Recommendations by the Executive Board will be considered as final and binding upon approval from the membership.

## **MATTERS OF BREACH OF CONDUCT AND/OR VIOLATIONS OF LAW(S)**

From time to time there may occur violations to the By-Laws and/or Constitution of the organization. There may also be breaches of conduct by a member or member(s) that affect other Member(s), or the organization itself. This may be in areas such as damage to the building or property, injury to other members, violating fire ground orders, or inappropriate behavior on firehouse property or the fire ground.

- I.) Where an action is deemed serious in nature by a member he/she has a right and an obligation to bring it to the attention of the appropriate jurisdiction, this being the President and/or Chief. If after review of the action, the president and/or Chief do not decide to proceed, the member has the right to appeal to the Executive Board for a hearing. Where the action involves the President and/or Chief, the member may proceed directly to the Executive Board to request a hearing.
- J.) Whereas it is determined that the action in question is serious enough for the Executive Board to convene, the member affected by, or witness to, the action may request a hearing and file a formal complaint, where necessary. Where the action is one that has effect against the

organization itself, including it's facilities and equipment, the President and/or Chief are obligated, as officers of the organization, to pursue the matter. If the action is deemed serious enough to warrant a formal complaint the President and/or Chief are obligated to do so on behalf of the organization, as officers of the organization.

- K.) If the Executive Board is convened to hear a matter or to take up the issue of a formal complaint, then their recommendation is to be considered final and binding upon approval from the membership.

## **ARTICLE V** **COMMITTEES**

- A.) All committee chairmen shall keep a record of all members' participation in any activities scheduled. All members shall be notified by the committee of the activities taking place at least one week in advance. At the end of each month, the chairman shall examine the activity booklet to insure that his/her committee members received proper credits.
- B.) The House Committee shall be in charge of all articles in the firehouse except for the fire apparatus. Any member who wants to use an article must notify a member of the House Committee. The House Committee shall keep the firehouse in presentable condition at all times. Any member wanting to use the firehouse for any occasion shall follow procedures outlined by the membership. Any equipment on loan shall be returned within seventy-two (72) Hours. Failure to do so will result in Executive Board involvement.
- C.) It shall be the duty of the House Committee to take inventory at the end of each term and forward the list to the succeeding committee.

## **ARTICLE VI** **ROLL CALLS**

In order that correct attendance records may be kept, no member shall be marked present at a fire or fire drill unless he/she shall have answered to the roll call at the firehouse upon return of the department from such drills or fires or activities, except that he/she has been excused by the senior officer of the department at the activity.

## **ARTICLE VII**

- A.) No member shall introduce a religious or political subject at a meeting or activity, or have distributed or posted any political pamphlets or cards in the firehouse. Any member found guilty of such an act shall be brought before the Executive Committee.
- B.) Probationary members and their guests are not allowed in the firehouse unless accompanied and supervised by a regular member. Probationary members by themselves will be allowed in the firehouse only for emergency responses and firehouse business.
- C.) No member will be issued a blue light permit until they complete an accredited course in basic firematics.
- D.) The firehouse is closed to all guests during all scheduled fire department activities unless they are required at that specific activity.

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- E.) The State of New Jersey prohibits the use of a controlled dangerous substance by any person. It also prohibits the consumption of alcoholic beverages by any person under twenty-one (21) years of age. The fire department advocates and enforces these laws.
  - F.) No member under the age of twenty-one (21) will be permitted in the Veros Room unless accompanied and supervised by a regular member over the age of Twenty-One (21) .
  - G.) Non-Emergency personnel are restricted from the communications center and engine bays during emergency calls.

### **ARTICLE VIII**

Any member who loses any property through negligence issued to him/her by the department, shall replace same within one (1) month.

### **ARTICLE IX**

Membership cards shall be issued to all members as follows:

- A.) Active members – blue cards issued yearly
- B.) Life Members – silver cards issued permanently

### **ARTICLE X**

- A.) The president shall pick a nominating committee during the first meeting in October. They shall nominate members in good standing for positions in the best interest of the Department.
- B.) Nominations may also be made from the floor by a motion.
- C.) The nomination committee shall be in charge of the election.
- D.) Nominations shall be presented at the first meeting in November.
- E.) Elections shall take place the first meeting in December.
- F.) An absentee ballot may be issued to any member whose request is deemed acceptable by the Executive Committee. This ballot must be completed privately in the presence of one member of the Executive Committee.
- G.) The newly elected officer's shall take office the first meeting in January.

### **REQUIREMENTS FOR LINE OFFICER'S**

When used below, SCFS indicates Somerset County Fire School and FTFS indicates Franklin Township Fire School. All elective courses will be designated by the Chief and/or training officer. No two elective courses can be the same.

- H.) No member can be elected chief or serve as such unless he/she has at some time served as an Deputy Chief or Assistant Chief for the period of one (1) year, or if said member has served before as Chief.

Candidates for Chief must meet requirements for Deputy Chief/Assistant Chief and have successfully completed the following courses:

- 1.) Instructional Techniques for Fire Company Officers
- 2.) Two Elective Courses

I.) Candidates for Deputy Chief/Assistant Chief shall meet the requirements for Captain and have successfully completed the following courses:

- 1.) Truck Company Fire Ground Operations
- 2.) Incident Command
- 3.) Staff and Command
- 4.) Building Construction

J.) Candidates for Captain shall meet the requirements for Lieutenant and have successfully completed the following courses:

- 1.) Advanced Structural Firefighting
- 2.) Hazardous Materials (other than an awareness class)
- 3.) Flammable Liquids Class
- 4.) Firefighting Operations in Garden Apartments / Townhouses
- 5.) Two Elective Courses

K.) Candidates for Lieutenant shall meet the requirements for Foreman and have successfully completed the following courses:

- 1.) Strategy and Tactics
- 2.) SCFS of FTFS – Officers Course
- 3.) Hazardous Material Awareness
- 4.) Engine Company Fire Ground Operations
- 5.) One Elective Course

L.) Candidates for Foreman shall meet the requirements as states in Article II, Section 2 of the Constitution and have successfully completed the following courses:

- 1.) SCFC – Firefighter II
- 2.) SCFS or FTFS – Pump Operators Course

M.) All drivers / Operators must meet the training requirements of a Foreman and the minimum age requirements for a driver of an emergency vehicle as stated by the fire company insurance carrier.

N.) Where there are no fully qualified candidates for an office then members that best meet the requirements for an office may be nominated.

O.) It is a member's responsibility to provide the fire company with a copy of the certificate awarded, and/or grades given, for a training class. If a member does not provide this documentation, then it will be assumed that the classes have not been taken.

P.) Accredited fire schools shall be those designated by the Chief.

**ARTICLE XI**  
**Amendments**

No alterations shall be made, nor shall these By-Laws be amended without a two-thirds vote in favor by the members present at a regular meeting. All proposed alterations and amendments shall be proposed in writing and lay on the table one (1) month before adoption. All alterations or amendments made shall then be entered into the By-law book with each member getting a copy of such changes. All By-laws previously in force and used by the East Franklin Volunteer Fire Department are hereby repealed and declared null and void.

### Revision History

As defined by Article IV of the Constitution and Article XI of the By-Laws, the following revisions have been made to the Constitution and By-Laws of the East Franklin Volunteer Fire Department, Inc.

**Revision Number 1 – Creates version 2 of this Constitution and By-Laws (C&BL) document**

The above Constitution and By-Law document was approved by two-thirds of the membership votes received, by mail and absentee ballot, at a regular meeting on November 16, 1989. They will be enforced effective January 1, 1990. All members will govern themselves accordingly.

**Revision Number 2 – Creates version 3 of the C&BL**

The above By-laws were adopted by majority vote at a regular meeting on December 21, 1989. All By-laws, except for Article X, items h through m, inclusive, will be enforced effective January 1, 1990. Article X, items h through m, inclusive, will be enforced effective January 1, 1992. All members will govern themselves accordingly.

**Revision Number 3 – Creates version 4 of the C&BL**

Revisions to Section 6 of the Constitution were adopted by unanimous decision at a regular meeting on June 16, 1994. These revisions deal specifically with modifications to the Department Class-A uniform and establish a Class-B uniform.

**Revision Number 4 – Creates version 5 of the C&BL**

The revisions to Article IV of the Constitution were approved by unanimous decision of the membership votes received via mail and adopted at a regular meeting on April 6, 1995 and will be in effect as of that date. All members will govern themselves accordingly.

**Revision Number 5 – Creates version 6 of the C&BL**

The revision to Article 2, Section 6 of the Constitution were approved by majority vote of the membership votes received via U.S. Mail and adopted at a regular meeting on December 16, 2004. Version 6 of the C&BL is in force as of that date and all members will govern themselves accordingly.

**Revision Number 6 – Creates version 7 of the C&BL**

The revision to Article 1 and Article 2, Section 4 of the Constitution were approved by majority vote of the membership votes received via U.S. Mail and adopted at a regular meeting on February 16, 2006, 2004. Version 7 of the C&BL is in force as of that date and all members will govern themselves accordingly.